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EMERGENCY SUSPENSION ISSUED FOR SARATOGA BAR
SLA Lifts Club Shadow's License Following Fights, Assaults, and Arrests

Albany, NY – The New York State Liquor Authority (SLA) issued an emergency suspension of Shadow Club, LLC, doing business as “Club Shadow” at 30 Caroline Street in Saratoga Springs. The suspension was ordered by Members of the SLA, Chairman Dennis Rosen, Commissioner Jeanique Greene and Commissioner Noreen Healey at a special meeting of the Full Board on Friday, July 1, 2011. Effective immediately, no alcohol may be served or consumed on the premises.

On June 21, 2011, the Saratoga Police Department (SPD) notified the SLA that Club Shadow had become a drain on police resources, with the SPD responding to numerous violent incidents at the premises in recent months. On June 24, 2011, the SLA and the SPD conducted a joint investigation at the bar, during which time the manager on duty was arrested by the SPD on cocaine possession charges. A subsequent investigation discovered this manager was convicted in 2004 on felony cocaine possession charges. In addition to the arrest, the SLA documented eleven violations of the Alcoholic Beverage Control law during the investigation, including paying employees off the books, employing unregistered bouncers, unlawful purchases of alcohol, and possessing ten bottles of liquor infested with insects.

Two days later, in the early morning of June 26, 2011, a fight broke out in the bar, spilling out into the street, where 40 to 50 patrons engaged in a violent brawl. Over two dozen officers from the SPD were called in to subdue the melee, during which time five police officers sustained injuries. The bar, licensed less than a year ago on July 9, 2010, was charged on June 30, 2011 with sixteen separate violations of the ABC law.

“In less than a year in operation, Club Shadow has become a drain on police resources, as the Saratoga Police have been called time after time to respond to violent incidents at the club,” said SLA Chairman Dennis Rosen. “Licensees that can’t or won’t control their establishments will lose the privilege of holding a liquor license.”

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare requires emergency action. When the SLA summarily suspends a license, it also serves a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation, considering each licensee’s disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension. The SLA’s decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge. An order of summary suspension remains in effect until such time as it is modified by the SLA or a reviewing Court.

The SLA regulates and controls the manufacture, sale and distribution of alcoholic beverages within the state. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

On the Web: www.abc.state.ny.us

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